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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/531,524	04/15/2005	Malcolm Hugh David Kemp	498.03.02	9092

7590
Dergosits & Noah
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Four Embarcadero Center
San Francisco, CA 94111

02/05/2008

EXAMINER

SHAHER, RICKY D

ART UNIT	PAPER NUMBER
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2872

MAIL DATE	DELIVERY MODE
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02/05/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10531524	4/15/05	KEMP, MALCOLM HUGH DAVID	498.03.02

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EXAMINER

Ricky D.. Shafer

ART UNIT**PAPER**

2872

20080125

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

See Attachment.

Art Unit: 2872

1. The reply filed on 11/08/2007 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): Applicant failed to explicitly identify and elect one of the species, as clearly set forth as item 2 in the communication mailed on 10/10/2007. In addition, applicant failed to provide a clear listing of all claims which applicant believes to be readable on the elected species. Please be advised that claims themselves are never species (see MPEP 806.04 (e)). Accordingly, in order to be completely responsive to this communication, applicant is required to explicitly elect one of the defined species along with providing a clear listing of the claims readable thereon. See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ricky D. Shafer whose telephone number is (571) 272-2320. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would

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like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

January 25, 2008

Ruth D. Slf
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PATENT EXAMINER
ART UNIT 2872